

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

BNSF Railway Co.,
a Delaware corporation,

Court File No.: 05-749 (RHK/JSM)

Plaintiff,

vs.

ORDER OF DISMISSAL

Fitz's Cleaning Co., Inc.,
a Minnesota corporation,

Defendant and
Third-Party Plaintiff,

vs.

Scott Okash, Thomas Flagstad,

Third-Party Defendants.

On reading and filing the Stipulation of Dismissal with Prejudice signed by
all parties:

IT IS HEREBY ORDERED AND ADJUDGED that the above-entitled action
is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 7, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge